

Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, June 29, 1976, at 7:30 P.M.

Present:

Allen M. Smith, Supervisor  
George G. Young, Councilman  
Francis E. Menendez, Councilman  
John Lombardi, Councilman  
Jessie Tomlinson, Councilwoman

Also present: Peter S. Danowski, Jr., Town Attorney

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

WE, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York, at 7:30 P.M. on the 29th day of June, 1976 and do consent to the holding of such meeting for the purpose of holding six public hearings and any other matters that may come before the Board.

Dated: June 29, 1976

TOWN BOARD MEMBERS,  
TOWN OF RIVERHEAD, NEW YORK

Allen M. Smith  
Supervisor

John Lombardi  
Councilman

Jessie Tomlinson  
Councilwoman

F.E. Menendez  
Councilman

George G. Young  
Councilman

Supervisor Smith called the Meeting to Order at 7:35 P.M. and the Pledge of Allegiance was recited.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That Minutes of the Meeting of the Town Board of the Town of Riverhead held on June 15, 1976 and the Special Meeting of the Town Board of the Town of Riverhead held on June 17, 1976, be approved as submitted.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

COMMUNICATIONS

Shoreham-Wading River Central School District, dated 6/21/76, requesting installation of a baseball backstop on the site of the Wading River Elementary School. They presently have a Little League field, but want to add an additional field, however, funds cannot be allocated for a backstop at this time. Requesting consideration be given this request. Filed.

The Town Board will take this matter under consideration.

Dept. of Army, Corps of Engineers, dated 6/21/76, relating to Public Notice No. 8523 - Reinforcement of an existing boat launching ramp on Long Island Sound, Jamesport. The purpose is to stabilize an existing concrete public boat launching ramp.

Any criticisms or protests regarding the proposed work should be prepared in writing and mailed to the Corps of Engineers Office by July 21, 1976, otherwise it will be presumed that there are no objections. Filed.

Mrs. Robert Dillingham, Regent, Suffolk Chapter, Donald House, extending invitation to Town Board to attend Open House at the Donald House on July 11, 1976 from 2 to 4 P.M. Filed.

Three residents of Reeves Park on Atwater Street, requesting permission for Mr. Horton to fill the holes on said street, as they present serious hazards to driving. Filed.

This matter was referred to Mr. Horton, Supt. of Highways.

Riverhead Police Department, dated 6/28/76, apprising the Town Board of the invaluable assistance given to their Department by the Riverhead Fire Department Police on the evening of June 26th with the parade traffic. Filed.

REPORTSOPEN BID REPORT - BICENTENNIAL HISTORY BOOKS

After being duly advertised, the following bids for printing of 2000 copies of a Bicentennial History Book for the Town of Riverhead were opened by the Deputy Town Clerk on Monday, June 21, 1976 at 11:00 A.M.:

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Brent-Shore Press, Inc.  
1568 Brentwood Road  
Bay Shore, New York 11706

2000 Copies	Total Cost	\$4,524.00
Reprint Cost		\$3,192.00
Books Perfect Bound not Smyth Sewn		

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Designed Communications Group  
691 Walt Whitman Road  
Melville, New York 11746

2000 Copies	Total Cost	\$6,815.00
100 with hard covers		

Filed.

OPEN BID REPORT - continued:

Reprint 2,000 including  
none with hard covers

\$3,575.00

TERMS: 10% over or under will constitute full delivery and overs or unders will be computed at \$1.79 each. We require 1/3 down on initiating the assignment, 1/3 on delivery and 1/3 balance within 30 days of delivery. Filed.

William Graphics, Inc.  
28 Granada Circle  
Mt. Sinai, New York 11766

Quotation for Riverhead Pictorial History Books

Description and Specifications - 96 pages plus cover

Size - 8½ x 11                      Quantity - 2000 soft cover + 100 Hard Cover

Composition - Typeset and layout

Camera - Book to consist of halftones of unknown quantity and different size

Presswork - Text - 1 color

Bindery - Perfect Binding not Smyth Sewn

Special - 100 Hard Cover Books, Gold Stamped

Pricing -

- 1) Typesetting and Paste-Up - \$15.50 for a full page of typesetting and paste-up. A page with a ½, 1/3, ¼, etc., will be charged accordingly.
- 2) Halftones - (photographs) \$2.50 to strip in each halftone and \$.25 a square inch for each halftones. There is a \$5.00 minimum for halftones.
- 3) Printing of 2m soft cover books that are Perfect Bound, \$2,877.00.
- 4) Printing of 2m soft cover books that are Smyth Sewn, \$4,087.11.
- 5) 100 hard cover books, gold stamped, \$758.11. If total job is Smyth Sewn, then the books will cost \$338.11.
- 6) At the Town of Riverhead's option, should they decide to have a complete graphic creation, design and layout of this book, it will cost \$1,300.00. Filed.

PETITION

Town Clerk read the following Petition, signed by twenty-eight (28) residents of Riverhead:

"We, the undersigned residents of the Town of Riverhead, are hereby opposed to the Town Board resolution to absorb the Fire Protection Districts and include them in one Fire District."

PETITION - continued:

"We also petition the Town Board to postpone any such decision until such time that more defined and equitable proposals are available for community discussion."

Supervisor Smith stated that he had several matters to make statements on and proceeded as follows:

"We are somewhat pleased to announce that a settlement between the CSEA and the Town Board with reference to this year and as you will note, the provision in this year's contract with the CSEA provides for a wage re-opener and that is the particular item that we are dealing with and I'll read it in that it's not all that long.

'It is agreed and understood between the parties in the above captioned agreement that pursuant to paragraph #911 that the wage salaries on an annual basis for the employees represented by the Civil Service Employees Association shall be amended, so as to reflect an annual salary of 5% over the December 31st, 1975 base salary, effective January 1, 1976, for the contract year 1976. That paragraph (1) shall apply to those employees listed in Schedule B of the Addendum to the 1975 CSEA Contract, dated January 6, 1975.

Third, that the salary administration program analysis and recommendations of the Town of Riverhead, dated October, 1975, shall be adopted by the Town Board of the Town of Riverhead, effective January 1, 1977 and the rates stated therein, increased by 5%.

Fourth, that all employees hired in the year 1976, shall be hired at Step I of the salary administration program and analysis and recommendation.

Fifth, it is agreed and understood that in implementation of the salary administration program analysis and recommendation, that all matters contained therein are matters for the Town Board's discretion and any and all increases, pay grades or steps are subject to Town Board discretion and that any promotions accruing in the year 1976, shall be effective January 1, 1977.'

We are calling a meeting of the Planning and Zoning Boards and the personnel of the Building Department for July 15, 1976, in the evening, to discuss all the amendments that may be necessary in the Zoning Ordinance #26, that we've noted over the first six months of the year.

Further, we will pass a resolution, either tonight or next Tuesday, that will call for a Public Hearing with reference to the expenditure of the next two quarters of entitlement of the Federal Revenue Sharing Funds. It is approximately \$125,000 and we will be asking, at that time, for suggestions, priorities to be set with reference to any and all drainage projects to be performed during the balance of the year 1976 and the first half of the year 1977."

Supervisor Smith then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 7:45 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice Calling Public Hearing on the matter of the Petition of I. Harry Goldman for a Special Permit for an Extension of a Mobile Home Park.

The affidavits were ordered to be placed on file.

PUBLIC HEARING - continued:

Supervisor Smith stated as follows: "This is a Hearing pursuant to the provisions of Ordinance #26, which provides for the extension of pre-existing non-conforming use, by Special Permit of the Town Board."

He then asked if anyone wished to be heard.

Helene M. Block, Town Clerk read the following communications:

"Urgent business elsewhere prevents me from attending the Public Hearing in the matter of a Special Permit Extension of a Mobile Home Park, pursuant to Section 301, Ordinance #26 of the Town of Riverhead. Please advise the Town Board that my client, Mr. Harry Goldman requests a Special Permit regarding the above matter. (Signed: Thomas R. Costello, Esq.)"

Planning Board, Town of Riverhead, dated June 7, 1976, as follows:

"NOW, THEREFORE, BE IT RESOLVED, That this Board approves the aforesaid petition of I. Harry Goldman as shown on plan dated November 22, 1965 and revised to February 10, 1976, with the following condition:

(1) That the westerly road shown on said plan be eliminated."

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the Hearing closed at 7:50 P.M. and re-opened the Meeting.

PERSONAL APPEARANCES

Supervisor Smith then asked if anyone wished to be heard and the following responded:

Mrs. Robert Tormey asked where the time capsule would be located.

Supervisor Smith explained that when the time capsule is loaded, it will go back to Grumman's.

He then pointed out where the final rendition of the mural will go.

Robert Pekar, Calverton, spoke on agricultural helicopters and complained about their perilous flying under high tension wires and directly over homes.

He then asked if anything could be done to protect his family from the possible dangers regarding these helicopters.

Supervisor Smith asked Mr. Pekar to get the number on the helicopter and the Town Board would speak to the two local companies who spray the farms.

Short discussion followed.

Gordon Danby, Wading River formally expressed his appreciation on behalf of the Wading River Community, for the beautification work done by the Town, prior to their local Bicentennial Weekend.

PERSONAL APPEARANCES - continued:

Michael Townsend, Green Thumb Plant Farm, Aquebogue, complained about Section 301F in Ordinance #26, commonly called the "Sign Ordinance", saying that the Ordinance is hurting businesses everywhere and in his opinion is discriminatory.

He then asked the Town Board to amend the "Sign Ordinance", in the future, to help the small business man, by allowing free standing signs in the Town of Riverhead.

Supervisor Smith then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice Calling Public Hearing in the matter of the Petition of George L. Schmelzer for a Special Permit for a Redesign and Revised Plan of a Mobile Home Park originally granted on August 16, 1966.

The affidavits were ordered to be placed on file.

Supervisor Smith then declared the Hearing open and asked if anyone wished to be heard.

George Schmelzer stated that his petition should be self-explanatory and further stated that he would be very happy to answer any questions, that might come up.

Supervisor Smith then explained Mr. Schmelzer's Petition for anyone who did not understand his intentions.

Helene M. Block, Town Clerk read the following excerpt from the Planning Board report on the above matter, as follows:

"NOW, THEREFORE, BE IT RESOLVED, That if this application for a Special Permit is determined to have been filed prior to December 5, 1972, the applicant, George L. Schmelzer, shall submit all of the data required in accordance with the definition of a Special Permit as set forth in the Zoning Ordinance of the Town of Riverhead and this Board will review same and make a report in accordance with said requirements in the definition of a Special Permit."

Mrs. Tormey stated that some years ago, the Zoning Board had Mr. Schmelzer on an appeal that went to court and at that time, it was determined that he did not own the property, it was in the estate of his mother.

Supervisor Smith asked Mr. Schmelzer if there was litigation at that time.

Mr. Schmelzer stated that there was.

Supervisor Smith asked Mr. Schmelzer to explain.

PUBLIC HEARING - continued:

Mr. Schmelzer stated as follows: "At the time of my original application, the title was in my mother's name. Since then, I have acquired title.

When my mother owned it, the litigation took place because of an elderly neighbor who had not known about the petition and made all sorts of allegations. Finally, in 1966, he gave up, just a couple of months before he died and then by that time, I had gotten the permit resolved and shortly thereafter, I saw surveyors going across the field, from the Expressway, so one thing led to another and here I am today."

Short discussion followed.

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:05 P.M.

PUBLIC HEARING - 8:15 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice Calling Public Hearing in the matter of the application of Mr. and Mrs. John Wittmeier for a Proposed Mobile Home Park.

The affidavits were ordered to be placed on file.

Supervisor Smith declared the Hearing open and asked if anyone wished to be heard.

Gary Planner Olsen, Esq., Mattituck, spoke on behalf of the Wittmeiers, saying that this matter had been before the prior Town Board and resulting in a lawsuit, which was resolved.

He further stated that what the present Town Board had before them was the site plan.

Supervisor Smith then read an excerpt from the Planning Board's report, as follows:

"NOW, THEREFORE, BE IT RESOLVED, That this Board finds the plan consistent with the requirements for the design of a Mobile Home Park."

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:20 P.M.

PUBLIC HEARING - 8:30 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice Calling Public Hearing on the application of Net Realty Holding Trust for a Special Permit to increase the percentage of building area to lot area in the Business "B" District (Roanoke Plaza).

The affidavits were ordered to be placed on file.

Supervisor Smith declared the Hearing open and asked if anyone wished to be heard.

PUBLIC HEARING - continued:

Charles Cuddy, Esq., representing the applicant, explained the applicant's intentions in the petition and presented the Town Board with a letter from the Vision Advisory Committee, which reads as follows:

"The Vision Advisory Committee had the following minor suggestions with respect to the plans submitted by Paul Slayton & Co.:

1. That the walking entrance at the southwest corner be moved more to the west to accommodate the high school children entering the plaza.

2. That the trees planted, definitely be 4 inches in diameter as suggested by Nore Winters.

Subject to the foregoing, we approve the plans as submitted to us."

Supervisor Smith suggested that a study be made to reflect the actual traffic by the High School students before changing the plans, to that effect.

Miles Fairley, Planning Board, spoke about the desirability of curb cuts in the middle of the central north/south driveway, so that traffic wishing to go to Roanoke Avenue would not have to drive all the way down Route #58 and around the circle.

Supervisor Smith asked for the front elevation.

Joel Katz, Esq., representing Paul Slayton & Co. introduced the elevations and made statements with reference to the parking schedule.

Supervisor Smith reminded Mr. Katz that his signs were illegal or not permitted.

Councilman Menendez asked Mr. Fairley if he had a set of the plans and asked Dr. Cardinale to come forward and let the Board look them over.

Bruce Stark spoke about the hazardous egress onto Roanoke Avenue and stated that the roadway should be made an exit only. Discussion followed.

Mrs. Robert Tormey, Chairman of Zoning Board of Appeals, mentioned that this matter has been before her Board on previous occasions and did not meet with the parking requirements.

Mr. Cuddy stated that that was why the Ordinance was amended.

Robert Pekar, Calverton criticized the design.



PUBLIC HEARING - continued:

No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:59 P.M.

PUBLIC HEARING - 8:45 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice Calling Public Hearing on a Proposed Amendment to Local Law #2 - Traffic and Parking, by adding a new sub-section to Section 4, Prohibited Parking - Hulse Landing Road, Wading River.

The affidavits were ordered to be placed on file.

Supervisor Smith declared the Hearing open and asked if anyone wished to be heard.

Marie Hoff, Wading River, appeared on behalf of the proposal as it was presented.

Robert Pekar, Calverton asked the Town Board why they didn't make up their minds regarding all these changes in the Traffic and Parking Law and do everything together.

Supervisor Smith stated that this particular change was not included in the adoption of Local Law #2 - Traffic and Parking, therefore necessitating its inclusion, as an amendment, at this time.

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 8:57 P.M. and called for a five minute recess.

Supervisor Smith re-opened the Meeting and asked if anyone else wished to heard.

PERSONAL APPEARANCES - continued:

George Schmelzer asked if the Town Board had gotten any information from Albany, on Equalization and Assessment.

Supervisor Smith replied that they had heard nothing, as yet.

Walter Kowalsick spoke against the TV reception, since the last rate increase for Cablevision and stated that he still has trouble with Channels 4, 9, 11 and 13 blacking out completely.

He then stated that he feels the Board has taken a step backwards, by granting a rate increase, before correcting the reception problems, throughout the Town.

Supervisor Smith stated that the Board will again complain to Mr. Jones about the reception problems.

Mr. Kowalsick replied that he has already spoken with Mr. Jones and nothing has been done to remedy the situation.

PERSONAL APPEARANCES - continued:

Mr. Kowalsick then talked about the possibility of having family beach stickers as well as stickers for non-residents.

He then asked why the residents of Riverhead had to pay \$3.00 per car, when they should get them for nothing, being taxpayers. Short discussion followed.

Supervisor Smith then recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 9:00 P.M.

Town Clerk submitted affidavits of posting and publishing Public Notice Calling Public Hearing to consider adoption of Local Law #3 of 1976 to provide for the compilation, renumbering and tabulation of the Local Laws, Ordinance and Resolutions of the Town of Riverhead.

The affidavits were ordered to be placed on file.

Supervisor Smith explained Local Law #3 as follows:

"This local law states the legislative intent of the Town Board of the Town of Riverhead and provides for the designation of the local laws, ordinances and resolution enumerated therein, as re-numbered, as the "Code of the Town of Riverhead"; and provides for the general repeal of local laws and ordinances not included in the Code, the saving from repeal of certain legislation and the designation of matters not affected by repeal, the filing of copies of the Code, amendments to the Code, maintenance of Code Books, sale of Code Books and supplements; the prohibition of unlawful alteration or tampering with the Code and the fixing of penalties for offenses thereof; and contains general severability and effective date provisions.

Said local law shall be included as Article 1 of Chapter 1, General Provisions, of the "Code of the Town of Riverhead".

Supervisor Smith then declared the Hearing open and asked if anyone wished to be heard.

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the Hearing closed at 9:10 P.M. and re-opened the Meeting.

RESOLUTIONS

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

A LOCAL LAW TO PROVIDE FOR THE COMPILATION, RENUMBERING AND TABULATION OF THE LOCAL LAWS, ORDINANCES AND RESOLUTIONS OF THE TOWN OF RIVERHEAD

BE IT ENACTED, By the Town Board of the Town of Riverhead as follows:

§ 1-1. Legislative intent.

The local laws, ordinances and resolutions of the Town of Riverhead referred to in § 1-2 of this Article shall be known collectively as the "Code of the Town of Riverhead", and the various parts and sections of such local laws, ordinances and resolutions shall be distributed and designated as provided and set forth in § 1-2 of this Article.

§ 1-2. Distribution of local laws, ordinances and resolutions.

<u>New Number (Chapter, Title, Article, Section)</u>	<u>Old Number (Source)</u>	<u>Adoption Date</u>
<u>Chapter 4, Assessors</u>	<u>L.L. No. 1-1971</u>	<u>2-02-71</u>
§ 4-1	Section 1	
§ 4-2	Section 2	
§ 4-3	Section 3	
<u>Chapter 11, Civil Service</u>	<u>Ord. No. 32</u>	<u>6-20-65</u>
§ 11-1	Section 1.0	
§ 11-2	Section 2.0	
§ 11-3	Section 3.0	
§ 11-4	Section 4.0	
<u>Chapter 13, Conservation Advisory Council</u>	<u>Resolution</u>	<u>4 04-72</u>
§ 13-1	First Paragraph	
§ 13-2	Second Paragraph	
§ 13-3	Third Paragraph	
§ 13-4	Fourth Paragraph	
§ 13-5	Fifth Paragraph	
<u>Chapter 17, Electrical Inspectors</u>	<u>Ord. No. 38</u> <u>Sections 1 and 2</u>	<u>4-09-68</u>
§ 17-1	Section 1	
§ 17-2	Section 2	

RESOLUTION - continued:

<u>Chapter 18, Ethics,</u>	<u>Ord. No. 39</u>	<u>3-04-69</u>
<u>Code of</u>		
§ 18-1	Section 1	
§ 18-2	Section 2	
§ 18-3	Section 3	
§ 18-4	Section 4	
<u>Chapter 22, Local Laws,</u>	<u>Local Law No. 1-1964</u>	<u>9-01-64</u>
<u>Adoption of</u>		
§ 22-1	Section 1	
§ 22-2	Section 2	
§ 22-3	Section 3	
§ 22-4	Section 4	
§ 22-5	Section 5	
<u>Chapter 25, Narcotics</u>	<u>Resolution</u>	<u>9-02-69</u>
<u>Guidance Council</u>		
§ 25-1	Section 1	
§ 25-2	Section 2	Amended 9-21-71
§ 25-3	Section 3	
§ 25-4	Section 4	
§ 25-5	Section 5	
§ 25-6	Section 6	
<u>Chapter 27, Ordinances,</u>	<u>Local Law No. 1-1975</u>	<u>7-15-75</u>
<u>Adoption of</u>		
§ 27-1	§ 27-1	
§ 27-2	§ 27-2	
<u>Chapter 30, Planning Board</u>	<u>Resolution</u>	<u>1-28-48</u>
§ 30-1	First Paragraph	
§ 30-2	Second Paragraph	
§ 30-3	Third Paragraph	
§ 30-4	Fourth Paragraph	
<u>Chapter 32, Police Commission-</u>	<u>Resolution</u>	<u>1-02-68</u>
<u>ers, Board of</u>		
§ 32-1	First Paragraph	

## RESOLUTION - continued:

<u>Chapter 35, Recreation Committee</u>	<u>Resolution</u>	<u>1-02-68</u>
§ 35-1	First Paragraph	
§ 35-2	Second Paragraph	
<u>Chapter 41, Traffic Violations Bureau</u>	<u>Ord. No. 19</u>	<u>2-02-54</u>
§ 41-1	Section 1	
§ 41-2	Section 2	Amended 5-04-76 by Ord. No. 19
§ 41-3	Section 3	
§ 41-4	Section 4	
§ 41-5	Section 5	
§ 41-6	Section 6	
§ 41-7	Section 7	
§ 41-8	Section 8	
§ 41-9	Section 9	
<u>Chapter 46, Alcoholic Beverages</u>	<u>Ord. No. 34</u>	<u>5-18-65</u>
§ 46-1	Section 1	
§ 46-2	Section 2	
<u>Chapter 48, Beaches and Recreation Centers</u>	<u>Ord. No. 37</u>	<u>4-19-67</u>
<u>Article I</u>		
§ 48-1	Section 1	Amended 7-07-70
§ 48-2	Section 2	Amended 6-11-68
§ 48-3	Section 3	
§ 48-4	Section 4	
§ 48-5	Section 5	
§ 48-6	Section 6	
§ 48-7	Section 7	
§ 48-8	Section 8	
§ 48-9	Section 9	
§ 48-10	Section 10	Added 7-07-70
§ 48-11	Section 11	
<u>Article II</u>	<u>Ord. No. 18</u>	<u>10-20-53; Amended</u> <u>in its entirety</u> <u>12-17-74</u>
§ 48-12	Section 1	
§ 48-13	Section 2	
§ 48-14	Section 3	
§ 48-15	Section 4	

RESOLUTION - continued:

§ 48-16	Section 5
§ 48-17	Section 6
§ 48-18	Section 7
§ 48-19	Section 8
§ 48-20	Section 9
§ 48-21	Section 10
§ 48-22	Section 11

Chapter 50, BingoOrd. No. 25

9-16-58; Amended  
in its entirety  
5-07-63

§ 50-1	Section 1
§ 50-2	Section 1(1)
§ 50-3	Section 1(2)
§ 50-4	Section 1(3)
§ 50-5	Section 1(4)
§ 50-6	Section 1(5)
§ 50-7	Section 1(6)
§ 50-8	Section 1(7)
§ 50-9	Section 1(8)
§ 50-10	Section 1(9)

Amended 1-07-69

Chapter 52, Building  
Construction

Ord. No. 358-03-65

§ 52-1	Section 1
§ 52-2	Section 2
§ 52-3	Section 3
§ 52-4	Section 4
§ 52-5	Section 5
§ 52-6	Section 6
§ 52-7	Section 7
§ 52-8	Section 8
§ 52-9	Section 9
§ 52-10	Section 10
§ 52-11	Section 11
§ 52-12	Section 12
§ 52-13	Section 13
§ 52-14	Section 14
§ 52-15	Section 15
§ 52-16	Section 16
§ 52-17	Section 17
§ 52-18	Section 18
§ 52-19	Section 19

Amended 1-16-76;  
 10-07-69

RESOLUTION - continued:

<u>Chapter 54, Buildings and</u>	<u>Ord. No. 21</u>	<u>10-19-54</u>
<u>Structures, Dangerous</u>		
§ 54-1	Section I	
§ 54-2	Section II	
§ 54-3	Section III	
§ 54-4	Section IV	
§ 54-5		Added 5-04-76 by Ord. No. 21
§ 54-6	Section V	
 <u>Chapter 56, Docks and</u>	 <u>Ord. No. 5</u>	 <u>6-23-37</u>
<u>Wharves</u>		
§ 56-1	Section 1	
§ 56-2	Section 2	Amended 5-04-76 by Ord. No. 5
§ 56-3	Section 3	
 <u>Chapter 58, Dogs</u>	 <u>Ord. No. 29</u>	 <u>1-16-68</u>
§ 58-1	Section 1	
§ 58-2	Section 2	
§ 58-3	Section 3	
§ 58-4	Section 4	
§ 58-5	Section 5	
§ 58-6	Section 6	
§ 58-7	Section 7	
§ 58-8	Section 8	
 <u>Chapter 60, Electrical</u>	 <u>Ord. No. 38, Secs. 3,</u>	 <u>4-09-68</u>
<u>Wiring &amp; Installations</u>	<u>4 and 5</u>	
§ 60-1	Section 3	
§ 60-2	Section 4	
§ 60-3	Section 5	
 <u>Chapter 62, Excavations</u>	 <u>Ord. No. 31</u>	 <u>1-05-65</u>
§ 62-1	Section 1	
§ 62-2	Section 2	Amended 6-01-65; 2-18-69
§ 62-3	Section 3	
§ 62-4	Section 4	
§ 62-5	Section 5	
§ 62-6	Section 6	
§ 62-7	Section 7	

RESOLUTION - continued:

§ 62-8	Section 8
§ 62-9	Section 9
§ 62-10	Section 10
§ 62-11	Section 11
§ 62-12	Section 12

Chapter 64, Fire PreventionOrd. No. 27-15-58Article IArticle 1

§ 64-1	Section 101
§ 64-2	Section 102
§ 64-3	Section 103
§ 64-4	Section 1
§ 64-5	Section 104
§ 64-6	Section 105
§ 64-7	Section 106
§ 64-8	Section 107
§ 64-9	Section 108
§ 64-10	Section 109
§ 64-11	Section 110
	Section 2
	Section 9
§ 64-12	Section 111
§ 64-13	Section 4
§ 64-14 (Reserved)	No original section
§ 64-15 (Reserved)	No original section

Article IIArticle 2

§ 64-16	Section 201
§ 64-17	Section 202
§ 64-18	Section 203
§ 64-19	Section 204
§ 64-20	Section 205

Article IIIArticle 3

§ 64-21	Section 301
§ 64-22	Section 302
§ 64-23	Section 303
§ 64-24	Section 304

Article IVArticle 4

§§ 64-25 through 64-29

(This Article reserved  
for future use)



RESOLUTION - continued:Article V

§ 64-30  
§ 64-31  
§ 64-32  
§ 64-33  
§ 64-34  
§ 64-35  
§ 64-36  
§ 64-37

Article 5

Section 501  
Section 502  
Section 503  
Section 504  
Section 505  
Section 506  
Section 507  
Section 508

Article VI

§ 64-38  
§ 64-39  
§ 64-40  
§ 64-41

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RESOLUTION - continued:§ 1-3. Repeal of enactments not included in Code.

All local laws and ordinances of a general and permanent nature of the Town of Riverhead, in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this local law.

§ 1-4. Enactments saved from repeal; matters not affected.

The repeal of local laws and ordinances provided for in § 1-3 of this local law shall not affect the following classes of local laws, ordinances, resolutions, rights and obligations, which are hereby expressly saved from repeal:

A. Any right or liability established, accrued or incurred under any legislative provision of the Town of Riverhead prior to the effective date of this local law, or any action or proceeding brought for the enforcement of such right or liability.

B. An offense or act committed or done before the effective date of this local law in violation of any legislative provision of this local law in violation of any legislative provision of the Town of Riverhead, or any penalty, punishment or forfeiture which may result therefrom.

C. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered, prior to the effective date of this local law, brought pursuant to any legislative provision of the Town of Riverhead.

D. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Riverhead.

E. Any local law, ordinance or resolution of the Town of Riverhead providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Town of Riverhead, or any portions thereof.

F. Any ordinance or resolution of the Town of Riverhead appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Riverhead, or other instruments or evidence of the town's indebtedness.

G. Local laws, ordinances or resolutions authorizing the purchase, sale, lease or transfer of property, or any lawful contract or obligation.

H. The levy or imposition of special assessments or charges.

RESOLUTION - continued:

I. The dedication of property.

J. Any local laws, ordinances or resolutions relating to salaries.

§ 1-5. Effect on previously adopted legislation.

In compiling and preparing the local laws, ordinances and resolutions of the town for publication as the "Code of the Town of Riverhead", as distributed and designated in the table of § 1-2 hereof, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made.

§ 1-6. Severability.

If any clause, sentence, paragraph, section, Article or part of this Article or of any local law or ordinance cited in the table in § 1-2 hereof shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, Article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 1-7. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Town Clerk of the Town of Riverhead and shall remain there for use and examination by the public until final action is taken on this local law, and if this local law shall be adopted, such copy shall be certified to by the Town Clerk of the Town of Riverhead by impressing thereon the Seal of the Town of Riverhead, and such certified copy shall remain on file in the office of said Town Clerk, to be made available to persons desiring to examine the same during all times while the said Code is in effect.

§ 1-8. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Code of the Town of Riverhead", or any new local laws, ordinances or resolutions, when enacted or adopted in such form as to indicate the intention of the Town Board to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing the said Code, as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained in the Code, which local laws, ordinance or resolution may be deleted or changed from time to time as the Town Board deems desirable. Legislation originally adopted by ordinance may be amended by local law, ordinance or resolution. Legislation originally adopted by ordinance may be amended by local law or ordinance.

RESOLUTION - continued:

Legislation originally adopted by local law may be amended only by another local law.

§ 1-9. Code book to be kept up-to-date.

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the book containing the "Code of the Town of Riverhead" required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all local laws, ordinances and resolutions adopted by the Town Board subsequent to the enactment of this Article in such form as to indicate the intention of said Town Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes or local laws, ordinances or resolutions adopted by the Town Board subsequent to the enactment of this Article in such form as to indicate the intention of said Town Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes or local laws, ordinances or resolutions until such change or local laws, ordinances or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-10. Sale of Code Book; supplementation.

Copies of the Code may be purchased from the Town Clerk of the Town of Riverhead upon the payment of a fee to be set by resolution of the Town Board, which may also arrange by resolution for procedures for the periodic supplementation thereof.

§ 1-11. Penalties for offenses.

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the "Code of the Town of Riverhead", or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Town of Riverhead to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than two hundred fifty dollars (\$250) or imprisonment for a term of not more than fifteen (15) days, or both.

§ 1-12. Incorporation of provisions into Code.

The provisions of this local law are hereby made Chapter 1 of the "Code of the Town of Riverhead", to be entitled "General Provisions, Article I, Adoption of Code", and the sections of this local law shall be numbered §§ 1-1 to 1-13 inclusive.



RESOLUTION - continued:§ 1-13. When effective.

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

NOW, THEREFORE, PLEASE TAKE NOTICE That, after due consideration and deliberation, the Town Board duly adopted said Local Law.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, The Riverhead Town Bicentennial Committee wishes to hold a "Block Party" in the area of First Street, and

WHEREAS, This Board encourages civic participation of the residents of the township, and

WHEREAS, The Police Department and Fire Department have been advised by letter of the plans and arrangements of the "Block Party", and

WHEREAS, Obstructions will not be permitted in the street for the passage of emergency vehicles, if necessary,

NOW, THEREFORE, BE IT RESOLVED, That this Board grants permission that First Street be closed to vehicular traffic from Roanoke Avenue to East Avenue during the hours of 11:00 A.M. to 6:00 P.M. on Saturday, July 3rd, 1976 for the purpose of a community "Block Party", and that the "Riverhead Free Parking Area" on the north side of First Street be used for the purpose of a "Block Party".

Supervisor Smith stated that this was only one of the events that would be taking place that day, after the parade and encouraged everyone to take part in the festivities.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That Thomas Michael Mullings be and is hereby appointed to serve as a Lifeguard, effective June 26, 1976 to and including September 9, 1976, to be paid bi-weekly at the rate of \$2.85 per hour and to serve at the pleasure of the Town Board.

The vote, Lombardi, Yes, Tomlinson, Abstained, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued:

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That Charles Crump be authorized to attend the Cornell University Institute of Assessing Officers at Cornell, New York, on June 27, 28, 29, 30, July 1, and 2, 1976, and

FURTHER RESOLVED, That expenses incurred by him be paid by the Board of Assessors budget.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the bid for the printing of 2000 copies of a Bicentennial History Book for the Town of Riverhead, be and is hereby awarded to: BRENT-SHORE PRESS, INC., 1568 Brentwood Road, Bay Shore, N.Y. 11706, for the cost of \$4,524.00, and the reprint cost of \$3,192.00, as per bid specifications filed in the Town Clerk's Office.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That Margaret Joan O'Hara be and she is hereby appointed to the position of Legal Stenographer, in accordance with the Duty Statement filed with the Suffolk County Civil Service, effective July 5, 1976, at an annual salary of Seven Thousand and 00/100 (\$7,000.00) Dollars, as a provisional employee, subject to the appropriate provisions of the Civil Service Law.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilwoman Tomlinson.

Pursuant to the terms and conditions of Section 209 of the Civil Service Law, a fact finders report having been issued, dated June 18, 1976, and received by this Board sometime thereafter,

NOW, THEREFORE, BE IT RESOLVED, That the "dispute" cannot be resolved as a result of such fact finders report, and that pursuant to Section 209, 4(c)(ii), Charles Ganim, Labor Consultant to the Town Board, is hereby directed to prepare and file a petition to initiate compulsory interest arbitration; and be it

FURTHER RESOLVED, That Charles Ganim shall receive a compensation for processing and prosecuting said arbitration to a conclusion, in accordance with a letter, dated April 6, 1976, in a total sum, not to exceed Four Thousand and 00/100 (\$4,000.00) Dollars.

RESOLUTION - continued:

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Supervisor be and he is hereby authorized to sign a Contract of Sale for the purchase of the Morell Property for a contract sum of Forty-two thousand five hundred and 00/100 (\$42,500.00) Dollars, subject to insurable title, in a form to be approved by the Town Attorney.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

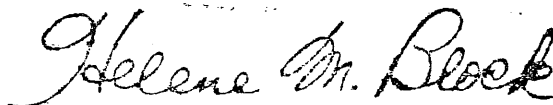
WHEREAS, Florence Abrams, Account Clerk in the Supervisor's Office has asked for four (4) weeks of Medical Leave, starting June 10th, 1976, for health reasons as per letter from Saul J. Rosenstreich, M.D., dated June 7, 1976, and filed in the Supervisor's Office. Working days that she is to be out are to be deducted from her accumulated sick days and she is to be paid accordingly.

NOW, THEREFORE, BE IT RESOLVED, That this Town Board approves the taking of Medical Leave by Florence Abrams, effective June 10, 1976.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the Meeting adjourned at 9:27 P.M., to meet on July 6th, 1976.



HMB/mhj

Helene M. Block, Town Clerk